



PATENT

Atty. Docket No.: 2876 (203-3345)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Schechter et al.

Examiner: Alex B. Toy

Serial No.: 10/712,486

Group: Art Unit 3739

Filed: November 13, 2003

Dated: October 19, 2005

For: COMPRESSIBLE JAW CONFIGURATION WITH BIPOLAR
RF OUTPUT ELECTRODES FOR SOFT TISSUE FUSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Non-Fee Amendment

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.
- [X] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDIT. RATE FEE	ADDIT. RATE FEE
TOTAL	20*	MINUS 20**	=	X 50 \$	X 25 \$ 0
INDEP.	2*	MINUS 3**	=	X 200 \$	X 100 \$ 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				X 360 \$	X 180 \$ 0
				TOTAL ADDIT. FEE	OR TOTAL \$ 0
				\$ -0-	

* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

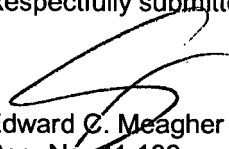
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, Mail Stop Non-Fee Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: October 19, 2005

Edward C. Meagher

- ☐ Please charge Deposit Account No. 21-0550 in the amount of \$____. Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$____ is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Edward C. Meagher
Reg. No. 41,189
Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road
Suite 225
Melville, New York 11747
Tel.: (631) 501-5700
Fax: (631) 501-3526

ECM/gm



DAW

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RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Sir:

The above-identified application has been reviewed in light of the Office Action

Summary mailed September 19, 2005.

REMARKS

In the Office Action Summary, the Examiner required the Applicants to elect a single disclosed species under 35 U.S.C. §121 for prosecution on the merits, to which the claims shall be restricted if no generic claim is finally held allowable. The Examiner stated that the claims are directed to the following patentably distinct species of the claimed invention: the species of Fig. 2; the species of Fig. 3; the species of Fig. 4; the species of Fig. 5; the species of Fig. 6 and the species of Fig. 7.

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Dated: October 19, 2005


Paul J. Nator